

United States Government

204  
E-11-10 for action -20  
Department of Energy

# Memorandum

DATE: February 21, 1990

REPLY TO  
ATTN OF: EH-25 and EH-23

SUBJECT: Approval of the Monticello, Utah, Uranium Mill Tailings Remedial  
Action: Combined NEPA and CERCLA Documents

TO: Leo P. Duffy, EM-1  
Director, Office of Environmental  
Restoration and Waste Management

This is in response to your February 15, 1990, memorandum requesting EH approval of the Remedial Investigation/Feasibility Study-Environmental Assessment (RI/FS-EA) and issuance of a Finding of No Significant Impact (FONSI), and concurrence in your release of the RI/FS-EA to the Environmental Protection Agency (EPA) and the State of Utah.

The Office of Environment, Safety and Health has reviewed the RI/FS-EA in accordance with our responsibilities under the Department of Energy Order 5440.1C regarding compliance with the National Environmental Policy Act (NEPA). Based upon my staff's review and analysis and its recommendations, and after consultation with the Office of General Counsel, I have determined that this document adequately satisfies the purposes of NEPA and, accordingly, can be issued as an Environmental Assessment (EA). Further, the proposed action is not a major Federal action significantly affecting the quality of the human environment, within the meaning of NEPA. Therefore, the preparation of an environmental impact statement is not required. The basis for the determination is explained in the attached FONSI, which incorporates the Floodplain Statement of Findings.

My office has also reviewed the RI/FS-EA with respect to the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). The document accurately demonstrates compliance with the requirements of CERCLA and reflects the comments on the Draft RI/FS-EA of both EPA and the State. I concur with your plan to release the RI/FS-EA to EPA and the State of Utah.

The Office of Environmental Restoration and Waste Management is responsible for providing public notice of the availability of the RI/FS-EA and FONSI as required in Section 1506.6 (b)(3) of the Council on Environmental Quality Regulations for Implementing

19019

the procedural provisions of NEPA. Since the public and State were provided an opportunity to review and comment on the RI/FS-EA in December 1989, consistent with the mandate of SEN-15-90, and because stipulated penalties could accrue should the RI/FS-EA not be forwarded to EPA and the State by February 22, 1990, a second round of pre-approval review and comment will not be necessary.

Please send five copies of the RI/FS-EA and a copy of the distribution list to the Office of NEPA Project Assistance for our files.

A handwritten signature in dark ink, appearing to read "Peter N. Brush", with a long, sweeping horizontal line extending to the right.

Peter N. Brush  
Acting Assistant Secretary  
Environment, Safety and Health

Attachment